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Qate of Deposit: January 7, 2003

Attorney Docket No. 21402-168 (Cura-468)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PPLICANTS:

Edinger, et al.

SERIAL NUMBER:

09/981,151

EXAMINER:

Not Yet Assigned

FILING DATE:

October 16, 2001

ART UNIT:

1642

For:

Proteins and Nucleic Acids Encoding Same

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**BOX IDS** 

Commissioner for Patents Washington, D.C. 20231

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## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed within three months of the mailing date for the International Search Report for PCT application PCT/US01/32496. Accordingly, no fee or certification is believed required.

A copy of each of the references in the above-identified application is enclosed unless otherwise indicated on the attached modified Form PTO-1449. It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: U.S.S.N.:

Edinger, et al. 09/981,151

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21402-168 (Cura-468).

Respectfully submitted,

Ivor, R. Elrifi, Reg. No. 39,529

Christina V. Karnakis, Reg. No. 45,899 Attorneys for Applicants MINTZ, LEVIN, COHN, FERRIS,

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Dated: January 7, 2003

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MB control numbe. 09/981,151 **Application Number** . Modified Form 1449/PTO **Filing Date** 10/16/2001 **First Named Inventor** Edinger INFORMATION DISCLOSURE STATEMENT BY APPLICANT Group Art Unit 1642 **Examiner Name** Not Yet Assigned (use as many sheets as necessary) 21402-168 (Cura-468) Attorney Docket Number

	U.S. PATENT DOCUMENTS						
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date Name of Patentee(s) or Applicant(s) mm/dd/yyyy	Class	Sub Class	Filing Date If Appropriate	
	A1	US 5,851,760	12/22/1998	Evans, et al.			

FOREIGN PATENT DOCUMENTS						
Exam Initials	Cite No.			Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
					mm/dd/yyyy	
	B1	EP	1004674	Kureha Chemical Ind. Co., LTD	05/31/2000	
	B2	wo	00/51993	The Procter & Gamble Co.	09/08/2000	
	ВЗ	wo	00/53774	Neurocrine Biosciences, Inc.	09/14/2000	
	B4	wo	01/31034	Millennium Pharm., Inc.	05/03/2001	
	B5	wo	01/83782	Sugen, Inc.	11/08/2001	
	B6	wo	01/94416	Curagen Corp.	12/13/2001	
	B7	wo	02/31163	Kazusa DNA Res. Inst. Found.	04/18/2002	X
	B8	wo	02/057461	Bayer	07/25/2002	

	OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Exam   Cite   Name of Author, Title (when appropriate), Publication, Volume,		Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.			
	C168	Partial International Search Report for PCT/US01/32496, Mailed on 12/13/2002.			

* a copy of	this reference is not provided as it was	previously cited by or submitted to the office in a prior application,
Serial No.	, filed	, and relied upon for an earlier filing date under
35 H.S.C. 8	120 (continuation, continuation-in-part	and divisional applications)

	Examiner Signature	Date Considered	
i			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.